



U.S. Department of Justice
United States Attorney
District of Kansas

NEWS RELEASE

Eric Melgren, U.S. Attorney

Contact: Jim Cross

(316) 269-6481

Headquarters

1200 Epic Center
301 N. Main
Wichita, Kansas 67202
(316)269-6481
FAX (316)269-6484

Topeka Office

444 Quincy
Topeka, Kansas 66683

Kansas City Office

500 State Avenue
Suite 360
Kansas City, Kansas 66101

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MISTRIAL DECLARED IN WITTIG/LAKE CASE

KANSAS CITY, KAN. – U.S. District Court Judge Julie A. Robinson Monday declared a mistrial after a jury failed to reach a verdict on a 40-count indictment against former Westar Energy Inc. executives David C. Wittig and Douglas T. Lake.

She set a hearing for 1:30 p.m. Jan. 4 to take up the question of scheduling a new trial.

“We’ll be meeting with the prosecutor soon to decide what our next move will be,” Melgren said. “Until then we will have no further comment.”

The mistrial comes after 11 weeks of trial on the charges against Wittig, 48, Topeka, former president, CEO and chairman of the board of directors of Westar, and Lake, 54, New Canaan, Conn., former executive vice president of strategic planning for Westar.

Wittig and Lake were indicted by a federal grand jury in July on the following charges:

- ◆ One count of conspiracy to defraud Westar
- ◆ Fourteen counts of circumventing internal accounting controls and falsifying books, records and accounts required to be kept by Westar
- ◆ Seven counts of wire fraud through interstate telephone communications
- ◆ Seventeen counts of engaging in monetary transactions derived from an unlawful activity

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